



BIOMERIEUX, INC.  
PATENT DEPARTMENT  
100 RODOLPHE STREET  
DURHAM NC 27712

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SEP 24 2009

**OFFICE OF PETITIONS**

In re Application of  
James L. Digiuseppie et al.  
Application No. 10/084,578  
Filed: February 27, 2002  
Attorney Docket No.: 9250-29

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**ON PETITION**

This is a decision on the petition filed September 8, 2009, under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **GRANTED**.

This application was held abandoned on October 27, 2008 and a Notice of Abandonment was mailed on February 5, 2009, for failure to timely respond to the Final Office Action mailed July 24, 2008.

In response thereof, petitioner has submitted a Request for Continued Examination (RCE) and an amendment as the submission required under 37 CFR 1.114.

This matter is being referred to Technology Center 1797 for processing of the RCE.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions